

United States District Court
Southern District of Ohio
Eastern Division

The United States of America,

Plaintiff

Affidavit of Ann Sutherin

vs

Case No: 19-cr-00174-ALM

Michael Sutherin,

Defendant

ANN SUTHERIN, affirms to be true and states under penalty of perjury as follows:

1. My name is Ann Sutherin. I am the mother of Michael Sutherin, the defendant in the above-referenced case.

2. Up until his arrest, Michael lived with me and his father, Thomas Sutherin, at our home in Worthington, Ohio.

3. Michael has Autism Spectrum Disorder (ASD), a life-long developmental disability that impacts how those affected see and understand the world, especially in the realms of communication, language, and social understanding. ASD is a neurological disorder (i.e. based in the physical structure of the brain), and is incurable. Michael has exhibited symptoms of ASD for his entire life. As a result of his ASD Michael is like a child in so many ways. He would never intentionally hurt anyone.

4. At the detention hearing on December 19, 2019, the government displayed an exhibit to the Court (Gov. Ex. 5) showing two text messages that I sent to Michael.

5. One of these messages refers to Michael's "SubmissiveTamer69" handle on some social media accounts. I did not realize the actual insinuation being made at the time and the defense lawyer did not ask me anything about this prior to or during the hearing. My daughter had seen this name and said "mom, tell Michael to get rid of it." I did not actually get what it was that was objectionable about it and I had to ask her again what the name was and thought it was somehow related to Zelda, the Nintendo game hero

of "The Legend of Zelda." Michael always wanted to emulate game characters in his usernames and icon photos. We would advise him to change them or remove them since they did not accurately give Michael a good image as a mature, "normal" young man.

6. In the message where I referred to his screenname, I was chiding Michael for spending too much time playing video games and talking to others online. At the time that I sent this text message to Michael, I never gave a thought of that username to be of sexual nature. I didn't think he even knew what "69" referred to. He was interested in pornography, as young men often are. Had no normal sexual experiences so far as I knew. But as the parent, I saw him as so socially naïve that it did not even occur to me that he even understood the connotations of "69," so I did not perceive it as sexual. At the detention hearing, it was implied by the prosecutor, solely on the basis of this message, that I was aware of my son's activity in talking to minors. This is not true. I knew that he talked to others, but I did not know that he spoke to minors. I was generally unaware of what Michael did online.

7. Naturally, as parents, my husband and I feel very guilty about not understanding how vulnerable Michael was to such inappropriate activity online. Even knowing how immature he was, like others, we just assumed he would understand that some kinds of behavior would be inappropriate. Sadly, we were wrong and Michael's life is in ruins. But we were not aware of what he was doing then and

8. My husband and I are concerned for Michael's safety because of the COVID-19 pandemic. Because of his ASD, Michael is suffering in detention. He is frequently bullied by other inmates and is in a constant state of anxiety and panic.

9. My husband and I would ensure that Michael follows all to rules and conditions if released.


Ann Sutherin

Sworn before me this 16th day of April,
2020


Notary Public



MUNAWWERA A. KHAN
Notary Public, State of Ohio
My Commission Expires 08-21-2022